IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION (L) NO.2153 OF 2007

Rohidas Gaurav Mhatre & Ors. ...Petitioners.
Versus
Municipal Corporation for Gr.Bombay. ...Respondents.

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Mr.Mihir Desai for the Petitioners.
Ms.A. K. Savla for the Respondents.

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CORAM : SMT.RANJANA DESAI &
DR. D.Y. CHANDRACHUD, JJ.

October 1, 2007.

P.C.:

In this petition, the Petitioners have challenged notice dated 27th September 2007 and the allotment letters dated 5th February 2007 issued by the Respondents. We have heard the Learned Counsel appearing for the Petitioners and the Respondents. The Learned Counsel appearing for the Respondents reiterated the statement made in the interim notice that the Respondents have

offered alternative accommodation to the Petitioners. The Learned Counsel appearing for the Petitioners states that the alternative accommodation which is offered to them is less than 225 sq.ft. area and that the Petitioners are in fact, entitled to 225 sq.ft. The Learned Counsel appearing for the Respondents seriously disputes this.

In the circumstances of the case, in our opinion, the petition can be disposed of by recording the statements made by learned Counsel appearing for the parties. The Learned Counsel appearing for the Petitioners states that the Petitioners shall accept the alternative accommodation offered to them by the Respondents without prejudice to their claim to a larger area. The Learned Counsel appearing for the Petitioners further states that the Petitioners shall address a detailed representation to the Assistant Commissioner, M-West Ward. The Learned Counsel appearing for the Respondents states that if such a representation is made, it will be considered within a period of four weeks from the receipt thereof and the result will be communicated to the Petitioners. The above statements are

accepted. We make it clear that we have not expressed any opinion on the claim of the Petitioners for a larger area.

The petition is disposed of.

SMT.RANJANA DESAI, J.

DR. D.Y. CHANDRACHUD, J.